



Alachua County Board of County Commissioners Staff Report

Project Number: DR23-000055

Preliminary Development Plan for South Pointe PD

SUBJECT: South Pointe PD – Phase II, Unit IIC

DESCRIPTION: Preliminary Development Plan for a 105-unit single family residential subdivision

AGENT/APPLICANT: eda consultants, inc.

PROPERTY OWNER: Ross Investment Group, Inc.

PROPERTY DESCRIPTION:

Location	1700 block of NW 118 th Drive and 11900 – 12100 blocks north of NW 17 th Ave
Parcel Number	04321-050-008 and 04321-050-010
Land Use	Low Density Residential (1-4 du/acre)
Zoning	Planned Development
Acreage	Approximately 32.1 acres

CHRONOLOGY:

Application Submittal	10/30/2023
Insufficiency Reports Sent	11/20/2023
Application Resubmitted	01/11/2024
Sufficiency Determination	02/01/2024
Preliminary Development Plan Hearing	02/27/2024

STAFF RECOMMENDATION: Recommend **approval** of the Preliminary Development Plan and **Resolution DR-24-08** for **South Pointe PD – Phase II, Unit IIC**

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DESCRIPTION OF PROPOSED PLAN:

The proposed Preliminary Development Plan (PDP) is for a 105-lot single-family detached residential subdivision with associated infrastructure. This PDP is the final phase for the South Pointe Planned Development (PD), which is made up of other single-family, detached homes to the south. The property is bordered by the future extension of NW 122nd Street/Parker Road to the west and Charleston Park at Fletcher's Mill to the east. The PD calls for a range of unit sizes to be constructed on the new block layout.

The purpose of the Preliminary Development Plan stage is for the reviewing body and the applicant to determine the specific characteristics of the site that will influence its design. ULDC 402.43 (a) *Development plan review steps* states that the Preliminary Development Plan shall detail regulated natural resources that exist on site, approximate access points, and location of utilities that serve the site. Minimum open space areas and tree protection defined with the Preliminary Development Plan shall be utilized in the Final Development Plan.

The proposed Preliminary Development Plan exceeds the threshold established in Unified Land Development Code (ULDC) Section 402.44 for review by the Development Review Committee. According to Table 402.44.1 *Development Thresholds*, single-family residential subdivisions that exceed 25 dwelling units require approval by the Board of County Commissioners (BoCC).

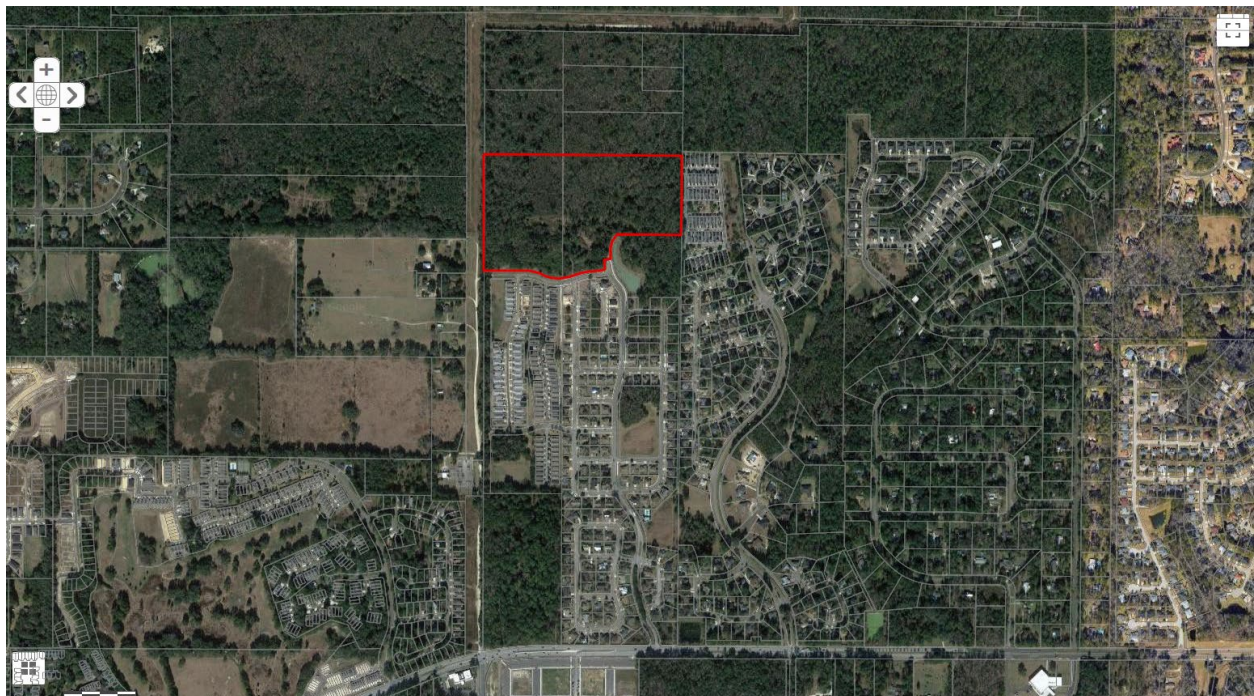


Figure 1: Aerial image of the site, outlined in red.

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CONSISTENCY ANALYSIS:

Following is an analysis of the consistency of the proposed plan with the applicable policies of the Comprehensive Plan and Land Development Regulations.

COMPREHENSIVE PLAN:

FUTURE LAND USE ELEMENT

Policy 1.3.2.1 Urban Residential Densities - *Areas designated on the Future Land Use Map for gross residential densities of one unit per acre or greater shall be considered as urban in character. There shall be four gross residential density ranges as follows:*

*(a) **Low Density:** One to four dwelling units per acre*

At 32.1 acres, a minimum of 32 dwelling units is required and a maximum of 128 dwelling units is allowed. The project proposes 105 lots, which is a gross density of 3.27 dwelling units/acre (du/ac).

Policy 1.3.7.1 Low Density residential land use category shall provide for single residential detached and attached dwellings. In addition, traditional neighborhood developments (TND), transit oriented developments (TOD) and planned developments may include mixed housing types and mixed uses.

The proposed Preliminary Development Plan allows for a range of single-family detached uses only. The proposed development plan is consistent with the future land use designation.

UNIFIED LAND DEVELOPMENT CODE:

ZONING DISTRICT AND USE REGULATIONS

The proposed development carries Planned Development zoning which implements the Low Density Residential Future Land Use. The approved Zoning Master Plan, ZOM-06-19, allows single-family residential detached dwellings. The proposed use of single-family residential is consistent with Chapter 404 *Use Regulations* as well as the approved PD zoning.

As a planned development, South Pointe must conform to the standards defined by the approved Zoning Master Plan and conditions. ZOM-06-19 includes a phasing schedule of two phases with a total build out of 349 units. Phase I is complete. Phase II, Units IIA and IIB were approved by the DRC in 2018 for a total of 45 units. The PDP is for Phase II, Unit II C and proposes 105 units. Lot size and setback requirements will be reviewed with final development plan for consistency with the approved Zoning Master Plan.

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The South Pointe PD was approved with 16 conditions (ZOM-06-19; Resolution Z-19-06 are provided with backup materials). Staff has reviewed the conditions and has found the proposed PDP to be in compliance with any applicable conditions and specific information on relevant PD conditions is provided in appropriate staff report sections below.

NATURAL AND HISTORIC RESOURCES PROTECTION

CONSERVATION AREAS

The entire project site is located in the Pine Hill Forest Strategic Ecosystem, as shown in the image below.

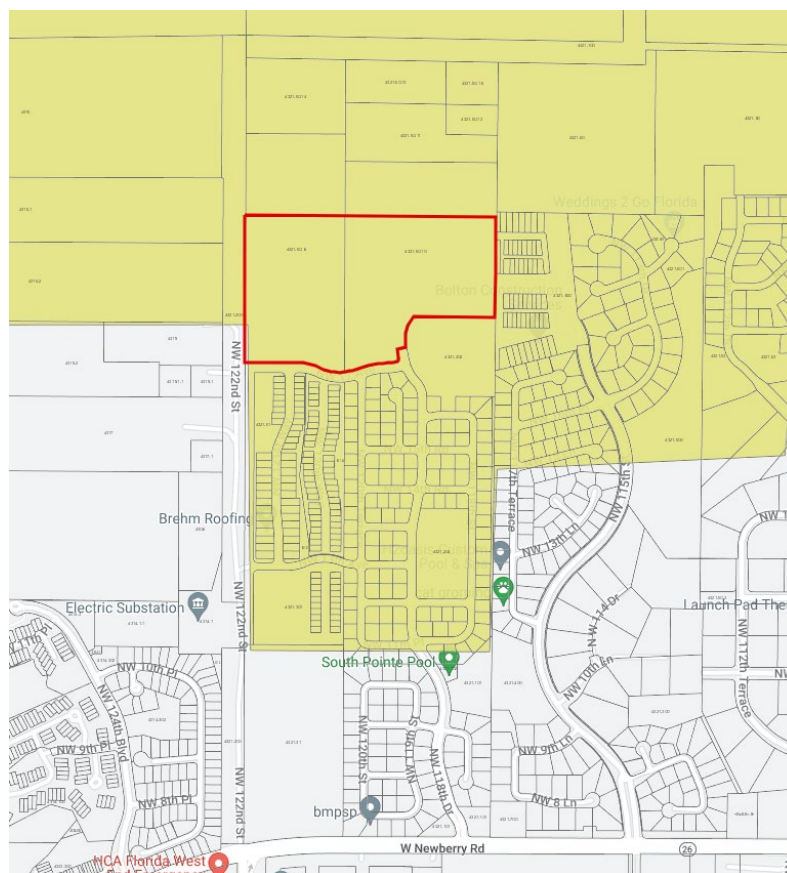


Figure 2: Pine Hill Strategic Ecosystem shown in yellow

The subject site (total 32.1 acres) is dominated by a hill that is 160 feet above sea level, reaching a height of 195 feet above sea level offsite to the northeast. The elevation onsite reaches a low of 94 feet above sea level in the northwest corner. Several uncommon species occur at the top of the hill, including Mockernut Hickory (*Carya tomentosa*) and Upland Blackgum (*Nyssa sylvatica*) trees, along with numerous heritage Live oaks. Rainwater encounters clay soils as it flows down a steep slope to the west, collecting in shallow depressions toward the bottom of the hill. This lower

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elevation area contains several small wetlands and high species diversity, including Basswood (*Tilia americana*) and Elm (*Ulmus spp.*) trees, Rusty Blackhaw (*Viburnum rufidulum*), and Walter's Viburnum (*Viurnum obovatum*).

The designated 3.8 acre Conservation Management Area (CMA) represents 11.8% of the project site and is consistent with the approved Zoning Master Plan. It encompasses high diversity areas at the top and bottom of the hill, as well as wet areas on the steep slopes in between, preserving the natural hydrology of this important geologic feature. The northern portion of the CMA provides ample opportunity for connecting to potential conservation areas in the future when development is proposed on adjacent the adjacent property. A draft CMA Management Plan and associated Conservation Easement (CE) are required for submittal with the Final Development Plan. (ULDC – Chapter 406, Article 17).

The entire project area is designated as part of the Pine Hill Forest Strategic Ecosystem. County Staff, consultants, and associated landowners are working to establish a "Special Area Study" that will address the potential options and alternatives for short and long-term land use activities within the Pine Hill Forest Strategic Ecosystem. The preparation of an SAS has requirements through the Comprehensive Plan (Policy 6.2.10) and ULDC (Article 5-Chapter 406 and Article 16-Chapter 402). There are criteria stated in the ULDC (Chapter 406.36 (c) and Chapter 406.38) that allows an applicant to seek development approval for specific projects prior to the County's adoption of the SAS scope of work based on *"if the applicant demonstrates that the ecological integrity of the strategic ecosystem will be sufficiently protected, the applicant may proceed as set forth in Chapter 406.38."*

Based on the extensive environmental evaluation report provided with the Preliminary Development Plan, site reviews conducted by staff and the applicant's design modifications, Environmental Protection Department staff believe the designated CMA (with future CMA Management Plan) adequately and appropriately protects the ecological integrity of the strategic ecosystem resources located within the subject property.

OPEN SPACE

Sec. 407.55(f) *Exceptions to Open Space areas* includes an exception that states *"developments with a valid...planned development that identifies open space and was approved prior to March 10, 2020 may provide open space consistent with the approved planned development."* The BoCC approved the Zoning Master Plan in June 2019; therefore, the open space was reviewed for consistency with the approved ZMP.

The approved Zoning Master Plan identifies "primary" and "secondary" open space. Although the Open Space code currently prohibits locating stormwater basins in open space, the Zoning Master Plan allows stormwater basins to be located in secondary open space. Portions of three separate stormwater basins are located in secondary

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open space.

The Strategic Ecosystem is considered a Conservation Management Area and is designated as Primary Open Space on the Zoning Master Plan and the PDP. It is approximately 3.8 acres or 11.8 percent of the total open space. Secondary open space is approximately 2.6 acres or 8.1 percent. **The primary and secondary open space, combined, create a total Open Space area of 19.9 percent.** Both open space types are located to augment conservation management areas or open space on adjoining parcels and to promote connectivity to greenways and trails or potential open space on adjoining parcels, consistent with Section 407.54(b).

TREE PRESERVATION

Development plans and subdivision plats shall be designed such that a minimum of 20 percent of the tree canopy shown on the most recent aerials of the property at the time of the application is retained per Sec. 406.12 *Tree Protection Standards*. The required minimum tree canopy retained shall incorporate each regulated tree and associated native vegetation within the area of the drip line unless the County determines a larger area is more appropriate due to the unique nature of the growth habit of the tree or unique site conditions.

The Preliminary Development Plan demonstrates that 5.94 acres, or 20 percent, of existing tree canopy will be retained within the PDP boundary. Sec. 406.12(a)(3) lists characteristics of native trees that are prioritized in determining the minimum required canopy. The majority of retained trees are within the CMA. There are also trees retained in the recreation area and in the common area adjacent the 60-foot right-of-way dedication.

Additionally, Sec. 406.12 *Tree Protection Standards* states that a tree removal permit authorizing the removal of high-quality specimen trees 60-inches diameter at breast height (dbh) or greater may only be issued upon demonstration by the applicant that the activity cannot occur in any other location on the site, or that removal is unavoidable due to site conditions and design considerations that minimize impacts to other regulated resources. There are no trees 60" or greater on the site.

Due to the development activity proposed, and the vulnerability of trees to be protected between the homes during construction, chain link fencing will be required for protection of these trees per Sec. 406.12.5(f) - *The County may require alternative fencing materials, such as chain link fencing, on a case-by-case basis where additional protection is necessary due to intensity of development activity, vulnerability of trees or native vegetation to be protected, or similar circumstance.* This will be reviewed with the Final Development Plan.

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GENERAL DEVELOPMENT STANDARDS

URBAN CLUSTER DESIGN

Sec. 405.44 *Design Standards* requires all new development and redevelopment within the Urban Cluster to develop, at a minimum, consistent with the design standards for a TND in Chapter 407, Article 7. Single family residential development shall meet the standards for Outside Transit Supportive Area (OTSA).

Sec. 407.67 *Standards for Development Areas Outside the Transit Supportive Area* includes the requirement that development shall have a maximum block perimeter of 2,000 linear feet.

The General Development and Transportation Network Plan (Sheet C0.40) shows 19 blocks. Each block is less than the maximum 2,000 linear feet permitted.

Specific lot requirements and setbacks will be reviewed with the Final Development Plan.

LANDSCAPING AND BUFFERING

The zoning master plan identifies required buffers along the western, northern, and eastern property boundaries. A 15-foot low density buffer is required on the western boundary. A 25-foot low density buffer and 20-foot low density buffer are required along portions of the northern boundary. A 20-foot low density buffer is required on the eastern boundary. The PDP identifies the buffers consistent with the zoning master plan. The buffers will be reviewed with the Final Development Plan.

Landscaping will be reviewed with the Final Development Plan and will include review of street trees, as well as required plantings within stormwater management facilities.

STREET NETWORK STANDARDS

Sec 407.140 (a)(5) *Street Network Standards – External Connectivity*, for developments containing 25 or more residential units, there shall be a minimum of two functional access points located on different sides of the subdivision except where infeasible due to original tract dimensions, topography, or existing development patterns. For a development containing only one access, an emergency service access shall be provided and maintained in addition to the primary access [ULDC 407.140 (a)(6)]. The South Pointe Planned Development has access on multiple sides of the development. Condition 3 of the Planned Development zoning requires dedication of right-of-way for NW 122nd Street, and Condition 4 requires the developer to design NW 122nd Street. The County is currently finalizing design of NW 122nd Street from Newberry Road to NW 17th Avenue. There is currently emergency access through the existing Gainesville Regional Utilities right-of-way west of the PD.

The proposed project provides access to W Newberry Road via NW 118th Drive, which connects through existing phases of South Pointe Planned Development. There are

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existing stubs to the west at NW 13th Ave and NW 17th Ave to allow for connections to the future NW 122nd Street corridor. The street network system within this Phase and Unit will provide a stub to the north, as required by Sec. 407.140(a)(8), to provide future access to properties to the north should they develop.

The Preliminary Development Plan also proposes a pedestrian network consistent with Sec. 407.142 (a) *Pedestrian network standards*. The network is in a connected block pattern with intersections of pedestrian facilities at least every 600 feet. An eight-foot-wide multi-use path (shown in as a hatched pathway on Sheet C110) will also be provided with the development as part of the pedestrian network – through the common area and along the western edge of the Primary Open Space. It will stub to the north and will be continued on the adjacent property should it be developed.

WATER AND WASTEWATER SERVICES

The development is within the Urban Cluster and is therefore required to connect to central water and sewer services by Policy 2.1 of the Potable Water and Sanitary Sewer Element of the Comprehensive Plan. Potable water will connect to the existing water main on NW 17th Ave. The proposed wastewater collection system will connect to the existing system on NW 121st Way.

STORMWATER MANAGEMENT

Location of the stormwater management facilities are provided for on the Preliminary Development Plan. They are shown in the northwest corner of the site near the CMA, in the southwest corner of the site, as well as in the northeast corner of the site. They will be reviewed for consistency with Chapter 407 Article 9 *Stormwater Management* as well as Sec. 407.43.2 *Landscape Design of Stormwater Management Facilities* with the Final Development Plan. Stormwater basins are required to resemble natural areas to the greatest extent possible (Sec. 407.91 (g) *Standards – General*). Basins are required to be landscaped with native species and be designed to be an integral part of the overall development as a physical or visual amenity.

TRANSPORTATION

Consistent with Condition 4 of Resolution Z-19-06 for the Planned Development zoning, this project will participate in the County's recently adopted Mobility Fee. The Mobility Fee is the functional equivalent transportation mitigation. However, consistent with vesting issued to the project, the rate will be that of the transportation impact fees in effect in 2011.

SPECIAL IMPROVEMENT DISTRICTS

Per Ordinance No. 2022-16 and ULDC Section 407.83 (d) adopted on October 25, 2022, this development Plan "South Pointe PD Phase II, Unit II C" is subject to creation of a Special Improvement District (SID) for future general maintenance and capital improvements of the infrastructure dedicated to the public. A copy of the document demonstrating the establishment of the SID shall be provided by the developer at the

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time of Plat approval by the Board of County Commissioners.

PUBLIC SCHOOL FACILITIES

The Alachua County School Board staff has reviewed the proposed development for student impacts for compliance with the school concurrency management program in accordance with the Inter Local Agreement and determined that adequate school facilities are available in the affected School Concurrency Service Areas (SCSA). This capacity determination dated November 17, 2023, is based on findings that this project will require 13 elementary school student stations in the Southwest Alachua SCSA, 6 middle school student stations in the Ft. Clarke SCSA, and 9 high school student stations in the Buchholz SCSA.

The School Board in accordance with their Policy 5120-Assignment Within District will determine specific school assignment for students living in the development area. Student Assignment Rules states "The Superintendent may assign or reassign students on a case-by-case basis to schools or programs located in or out of their assigned zone, for the health, safety, or welfare of the students, other students or staff." No assurances are given that the assignments will be made to the most closely located, or currently zoned, facilities. The provision of services to students in the development area may require redrawing of attendance zone lines, reassignment and busing to facilities elsewhere in the District, the use of temporary facilities, and/or the relocation of specific educational programs.

DEVELOPMENT PLAN EXPIRATION:

Pursuant to Sec 402.74 *Time Limitation for Expiration of Development Plans*, an approved Preliminary Development Plan or phase of a development plan shall expire unless a complete application for final development plan approval has been accepted by the department within 12 months of the date of preliminary approval.

STAFF RECOMMENDATION

Staff has found the proposed Preliminary Development Plan to be consistent with the Comprehensive Plan and requirements of the Unified Land Development Code.

Staff recommends **approval** of the Preliminary Final Development Plan and **Resolution DR-24-08 for South Pointe PD Phase II, Unit II C**

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Comments to be addressed with Final Development Plan:

Growth Management:

1. Due to the development activity proposed and the vulnerability of large Live Oaks, chain link fencing will be required on the Final Development Plan for tree barricades protecting these trees per Sec.406.12.5(f). The County may require alternative fencing materials, such as chain link fencing, on a case-by-case basis where additional protection is necessary due to intensity of development activity, vulnerability of trees or native vegetation to be protected, or similar circumstance.
2. Tree 261 (41-inch Live Oak) will require mitigation at Final Development Plan due to proposed impacts to root plate. Under no circumstances shall permission be given for any development activity within the tree root plate, 406.12(a)(4).

Environmental Protection Department:

3. Large paths have recently been cleared in the vicinity of the conservation management area. A warning has been issued to the developer that there should be no clearing or development activity prior to issuance of a construction permit. The applicant shall flag the boundaries of the CMA to demonstrate whether unauthorized impacts occurred in this area prior to submitting a Final Development Plan.
4. **Conservation Management Area (CMA) Management Plan**
A draft conservation easement document (consistent with the provisions of Section 704.06, F.S.) for the Conservation Management Area (CMA) should be included with the final development plan application for review by the County Attorney's Office and EPD. The easement shall be recorded in the public records of Alachua County prior to, or coincident with, recording the plat. The final easement document should include the CMA management plan and a legal description and surveyor's sketch of the CMA as attachments. The easement document should also be referred to in the Declaration of Covenants and Restrictions document under Article XV and included as an exhibit.
5. Prior to land clearing and vegetative removal, the CMA boundaries should be clearly marked and protected. Fencing should be shown on the sedimentation and erosion control plan submitted with the final development plan. If the intent is to entirely clear the lots abutting the CMA during construction phase, then erosion and sedimentation control measures shall be required to prevent runoff into the CMA (Chapter 406.102(b), ULDC).
6. Plat notation for the CMA will be required at final plat submittal. See Section 406.103(b) ULDC for example.
7. A final site plan that shows a CMA sign detail and the location of CMA signs will be required, along with a depiction of how the area will be permanently marked.

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The CMA boundaries will include associated signage as coordinated with ACEPD staff, and potentially fencing if determined as part of the final design. The markers, signs, and if applicable, fencing shall be installed prior to issuance of the Certificate of Completion for the Construction Permit. (Section 406.103 ULDC).

8. Removal of invasive exotic species shall be scheduled concurrent with demolition and construction activities (Section 406.12(a)(1), ULDC) . Site contractor shall closely coordinate with invasive removal professional for removal within CMA, buffers and open space areas.
9. Provide a copy of your homeowner's documents (Conditions, Covenants and Restrictions (CCR)). Make sure that you provide enforcement of the open space areas to the County (as you did in your open space management plan). The CCR should promote xeriscaping (native landscaping) as provided in Section 407.43.4, identify firewise issues, prohibit the use of invasive exotic species (as listed in FAC Section 5B-57-007 "State Noxious Weed List"), and provide the open space management plan as an appendix.